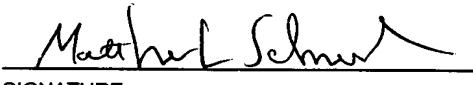


100-1703-9357-ACT/TTO 15 NOV 2005 *AFS*

Substitute for Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 034170-028
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531,295
INTERNATIONAL APPLICATION NO. PCT/EP2003/011308	INTERNATIONAL FILING DATE 13 October 2003 (13.10.2003)	PRIORITY DATE CLAIMED 14 October 2002 (14.10.2002)
TITLE OF INVENTION SEALED PACKAGE FOR POURABLE FOOD PRODUCTS		
APPLICANT(S) FOR DO/EO/US Cristiano CASALE and Sara DE SIMONI		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none">1. <input type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371.2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> has been communicated by the International Bureau.c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none">a. <input type="checkbox"/> is attached hereto.b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).b. <input type="checkbox"/> have been communicated by the International Bureau.c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.d. <input type="checkbox"/> have not been made and will not be made.8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 21 below concern document(s) or information included:		
<ol style="list-style-type: none">11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.13. <input type="checkbox"/> A FIRST preliminary amendment.14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.15. <input type="checkbox"/> A substitute specification.16. <input type="checkbox"/> A change of power of attorney and/or address letter.17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).20. <input checked="" type="checkbox"/> Other items or information: <u>Copy of Notification of Missing Requirements Under 35 U.S.C. 371.</u> <hr/><hr/><hr/><hr/>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531,295	INTERNATIONAL APPLICATION NO. PCT/EP2003/011308	ATTORNEY'S DOCKET NUMBER 034170-028
21. <input type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: _____ _____ _____ _____		CALCULATIONS PTO USE ONLY
22. <input type="checkbox"/> The following fees are submitted:		
Basic Filing Fee (1631)		
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 \$ 130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total Claims	-20 =	0
Independent Claims	- 3 =	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00 (1616)
Examination Fee		+ \$200.00 (1633)
Search Fee		+ \$500.00 (1632)
App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)		
TOTAL OF ABOVE CALCULATIONS		\$ 130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+ \$ 0.00
		SUBTOTAL = \$ 130.00
Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30 \$ 0.00
		TOTAL NATIONAL FEE = \$ 130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +		
		TOTAL FEES ENCLOSED = \$ 130.00
		Amount to be refunded : _____ charged : _____
a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.		
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.		
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed.		
d. <input checked="" type="checkbox"/> Charge <u>\$ 130.00</u> to credit card. Form PTO-2038 is attached.		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.		
11/18/2005 MKAYPAGH 00000064 10531295		
01 FC:1617 130.00 OP		
SEND ALL CORRESPONDENCE TO:		
Buchanan Ingersoll PC Including attorneys from Burns, Doane, Swecker & Mathis P.O. Box 1404 Alexandria, Virginia 22313-1404 (703) 836-6620		
 SIGNATURE <u>Matthew L. Schneider</u> NAME <u>Matthew L. Schneider</u> REGISTRATION NO. 32,814 DATE November 15, 2005		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,295	Cristiano Casale	034170-028
INTERNATIONAL APPLICATION NO.		
PCT/EP03/11308		
I.A. FILING DATE		PRIORITY DATE
10/13/2003		10/14/2002
CONFIRMATION NO. 6251		
371 FORMALITIES LETTER		
 *OC000000017017561*		

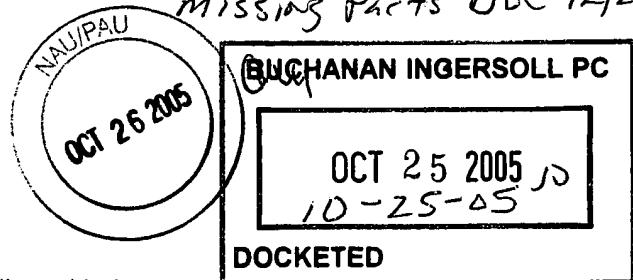
Date Mailed: 10/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/14/2005
- Copy of the International Search Report filed on 04/14/2005
- Copy of IPE Report filed on 04/14/2005
- Preliminary Amendments filed on 04/14/2005
- Information Disclosure Statements filed on 04/14/2005
- U.S. Basic National Fees filed on 04/14/2005
- Priority Documents filed on 04/14/2005

034170-028
 MLS/NEW
 missing parts due 12/24/05



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,295	PCT/EP03/11308	034170-028

FORM PCT/DO/EO/905 (371 Formalities Notice)